

proved under his own hand to be false in fact.
The plea of
Jeffreys, even if it be true in fact, is utterly
worthless.¹

Mr. H. B. Irving's Life of Judge Jeffreys
(1898) attempts
a vindication, but it is not very thoroughgoing.
He represents
Jeffreys as executing over three hundred
persons on
his western circuit. But Mr. Irving argues at
some length
that the Judge acted under direct and strict
instructions
from the King. As a new witness on the point
he brings
forward Ailesbury, whom he represents as
saying that he
protested to the King himself against
Jeffrey's severity,
that the King said he abhorred it, and that he
said to James,
' Your Majesty ought to turn out the Justice
and Mr.
Percy Kirke, and that will show the world your
true abhor-
rence/² Unluckily for Mr. Irving's argument
Ailesbury
does not say that he made the remark to
James but
that he would have liked to make it. ' I knew
the King's
temper too well for to give my advice but it
was at my
tongue's end J³ to say . . . Ailesbury's own
view is that
Jeffreys was ^e a man of great and fiery
passion, and did
more ill things out of his natural temper, which
was in-
sufferable, than out of a design to render the
King odious/

Ailesbury was very anxious to prove that
James was a
merciful man, much maligned by rumour. He
quotes the
cases of Lord Gerard of Brandon and Lord

Delamere.⁴

The first was convicted of treason for his share in the Rye House Plot, but was pardoned, and remained loyal to James even though his father, the Earl of Macclesfield, came over with William of Orange.⁵ Delamere was tried for complicity in Monmouth's rebellion, but was acquitted by his peers. Ailesbury argues that James intended the trial to

¹ II, 652-4 (v).

² Irving, p. 306.

⁴ Ibid. pp. 132-3, 133-6.

³ Memoirs, i, 121.

⁵ Cl Macaulay, II, 696 (vi).